

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

RONALD P. PASSATEMPO, TRUSTEE,)	
On behalf of the Samuel Pietropaolo)	
Irrevocable Trust, SAMUEL PIETROPAOLO,)	
GRANTOR to the Samuel Pietropaolo)	
Irrevocable Trust, and PATRICIA D.)	
PIETROPAOLO, BENEFICIARY of the)	
Samuel Pietropaolo Irrevocable Trust,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.
)	05-10118-GAO
)	
FREDERICK V. McMENIMEN III, BARRY)	
G. ARMSTRONG, NEW ENGLAND)	
ADVISORY GROUP, LLC, 1717 CAPITAL)	
MANAGEMENT COMPANY, NATIONWIDE))	
PROVIDENT (f/k/a Provident Mutual Life)	
Insurance Company), and NATIONWIDE)	
FINANCIAL SERVICES, INC.,)	
)	
Defendants.)	
)	

PROPOSED ORDER

Pursuant to Federal Rule of Civil Procedure 64, the Court hereby orders Defendant Frederick V. McMenimen, III and all those acting in concert with him to refrain from conveying, during the pendency of this action and outside of the ordinary course of business, (i) any assets from any account, trust, business venture or other investment vehicle currently under his ownership or control, or of which he is a direct, indirect or contingent beneficiary; (ii) any real property currently under his ownership or

control; and (iii) any other business or personal assets of any kind – except to the extent such property and assets exceed \$900,000 in net value.

Honorable George A. O'Toole, Jr.

Dated: